

CANDY AND SIRUP

CANDY

17451. Adulteration of candy. U. S. v. 11 Cartons, etc. (and 2 other seizure actions). (F. D. C. Nos. 30655, 30656, 30683, 30684, 30704. Sample Nos. 29128-L, 29958-L, 29959-L, 30137-L, 30138-L.)

LIBELS FILED: March 1, 9, and 16, 1951, Western District of Washington and District of Oregon.

ALLEGED SHIPMENT: On or about January 13, 15, 29, and 31, and February 9, 1951, by the Duke's Candy Co., from Salt Lake City, Utah.

PRODUCT: 45 cartons and 40 boxes at Seattle, Wash., and 71 boxes at Portland, Oreg., each carton and box containing 24 2-ounce candy bars.

LABEL, IN PART: "Duke's 10 Cent Tato Bar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3); the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insects, and insect fragments; and, Section 402 (a) (4) (45 cartons at Seattle, Wash.), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 5 and 22, 1951. Default decrees of condemnation. The court ordered that the product be delivered to public institutions, for use as animal feed.

17452. Adulteration of candy. U. S. v. 31 Cases, etc. (F. D. C. No. 30773. Sample Nos. 1002-L to 1004-L, incl.)

LIBEL FILED: April 5, 1951, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 26 and February 1, 1951, by the Lee Chocolate Co., from Atlanta, Ga.

PRODUCT: 31 cases, each containing 100 1½-ounce packages, of chocolate-covered cherries; 25 cases, each containing 100 1-ounce packages, of pecan rolls; and 12 cases, each containing 60 2-ounce packages, of toasted coconut bars at Jacksonville, Fla.

LABEL, IN PART: (Package) "Lee of Atlanta, Ga. Chocolate Cherries [or "Pecan Roll"]" and "Toasted Coconut."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of (chocolate-covered cherries and pecan rolls) filthy substances by reason of the presence of rodent excreta and rodent hair fragments and (toasted coconut bars) rodent hair fragments; and, Section 402 (a) (4), the products had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 4, 1951. Default decree of condemnation and destruction.

SIRUP*

17453. Adulteration and misbranding of sorghum sirup. U. S. v. 246 1-Gallon Cans * * *. (F. D. C. No. 30481. Sample No. 76843-K.)

LIBEL FILED: January 13, 1951, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about December 11, 1950, by Jimmie Jones, from Conehatta, Miss.

*See also No. 17499.

PRODUCT: 246 1-gallon cans of sorghum sirup at West Helena, Ark.

LABEL, IN PART: "Honey Drip Sorghum."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product consisting of a mixture of sorghum, glucose, and sugar had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food; Sections 403 (e) (1) and (2), it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: August 2, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

17454. Adulteration of sorghum sirup. U. S. v. 62 Cases, etc. (F. D. C. No. 30695. Sample No. 32063-L.)

LIBEL FILED: March 13, 1951, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about February 7, 1951, by W. O. Kelton, from Monroe, La.

PRODUCT: 62 cases, each containing 12 unlabeled ½-gallon cans, and 18 cases, each containing 6 unlabeled gallon cans, of sirup at Benton, Ark. The product was represented to be sorghum sirup.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), sorghum, glucose, and sugar had been substituted for sorghum, which the product was represented to be.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food; and, Section 403 (e), the product was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents. Further misbranding, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient.

DISPOSITION: April 27, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

17455. Adulteration of bakery products. U. S. v. Robert Rothenberg (Roll Biscuit Co.). Plea of guilty. Fine, \$500. (F. D. C. No. 29131. Sample Nos. 11783-K to 11785-K, incl., 57264-K, 57265-K.)

INFORMATION FILED: February 21, 1951, Southern District of New York, against Robert Rothenberg, trading as the Roll Biscuit Co., New York, N. Y.

ALLEGED SHIPMENT: On or about September 14 and 15, 1949, from the State of New York into the State of Connecticut.

LABEL, IN PART: "Chocolate Cream Filled Pastry Sticks," "Biscuit Fans," and "Aunt Nancy's Fruit Cake Manufactured by Roll Biscuit Co., New York, N. Y."